

The opinion in support of the decision being  
entered today is not binding precedent of the Board.

Paper **44**

Filed by: Merits Panel  
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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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HILARION BRAUN  
Junior Party  
(Patent 5,598,196),

v.

STEPHEN TEMPLE and MARK R. SHEPHERD  
Senior Party  
(Application 08/536,345).

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Patent Interference No. 105,282

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Before: McKELVEY, Senior Administrative Patent Judge, LANE and MEDLEY, Administrative Patent Judges.

MEDLEY, Administrative Patent Judge.

**Judgment - Bd.R. 127(b)**

On 28 February 2005, the board received from Braun "BRAUN REQUEST FOR ENTRY OF ADVERSE JUDGMENT", in which Braun requests and agrees to entry of adverse judgment under Bd.R. 127(b) (Paper 18). Accordingly, it is

**ORDERED** that judgment on priority as to Count 1 (Paper 1 at 4) is awarded against junior party HILARION BRAUN.

**FURTHER ORDERED** that junior party HILARION BRAUN is not entitled to a patent containing claims 1-3, 6, 8-10 and 12 (corresponding to Count 1) of U.S. patent 5,598,196.

**FURTHER ORDERED** that a copy of this paper shall be made of record in files of application 08/536,345 and U.S. Patent 5,598,196.

**FURTHER ORDERED** that if there is a settlement agreement, attention is directed to 35 U.S.C. § 135(c) and Bd.R. 205.

cc (via facsimile):  
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**INTERFERENCE DIGEST**

Interference No. 105,282

Paper No. 43

Name: Stephen Temple et al.

Serial No.: 08/536,345

Patent No.

Title: Multi-channel array droplet deposition apparatus

Filed: 09/29/95

Interference with Braun

**DECISION ON MOTIONS**

Administrative Patent Judge, \_\_\_\_\_ Dated, \_\_\_\_\_

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\_\_\_\_\_  
\_\_\_\_\_

**FINAL DECISION**

Board of Patent Appeals and Interferences, favorable Dated, 3/2/05

\_\_\_\_\_  
Court, \_\_\_\_\_ Dated, \_\_\_\_\_

**REMARKS**

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This should be placed in each application or patent involved in interference in addition to the interference letters.